IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1145/06

1. Mohan Harishchandra Rawat .....Applicant

V/s.

The state of Maharashtra .... Respondent

Mr.Nitin Sejpal & Miss.Pooja Bhojane for the applicant

Miss.M.H.Mahatre APP for the State

CORAM : V.M. KANADE, J.

DATE : 03/04/06

P.C:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in connection with C.R.No.410/05 for the offence punishable U/s.302 r/w 34 of IPC.

3. It is alleged that there was a dispute between the deceased and the applicant and it is alleged that the applicant caught hold of the neck of deceased and

and applicant and his two sons gave fists and kicks blows. Subsequently victim succumbed to the injuries. P.M.Notes indicate that deceased died due to hemorrhage and shock due to internal injuries to spleen and kidney. No lethal weapon has been used by the accused. Chargesheet has been filed. There are no criminal antecedents against the accused. The material on record prima facie does not indicate the applicant has committed offence under Sec.302 and it is possible that the offence may fall under Sec.304 part I or II of IPC.

4. In the circumstances, applicant be released on bail in the sum of Rs.5000/- with one or two sureties in the like amount. Applicant shall report Kandivali Police Station once in a month till disposal of the trial.

5. Application is accordingly disposed of.

V.M. KANADE, J.